

Message Text

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PAGE 01 STATE 205001
ORIGIN OES-09

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COMM/NMFS: P FOX
EUR/WE: V BROD
L/OES: P OLSON

-----089293 141756Z /44

R 141649Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY ROME

UNCLAS STATE 205001

E.O. 11652: N/A

TAGS: SENV, IT

SUBJECT:ITALIAN PROHIBITION OF SEALSKIN IMPORTS

REF: ROME 14411

1. U.S. MARINE MAMMAL PROTECTION ACT (MMPA) OF 1972 (PL 92-522) DOES PROHIBIT THE IMPORTATION OF MARINE MAMMALS AND MARINE MAMMAL PARTS EFFECTIVE OCTOBER 21, 1972, EXCEPT THE PROHIBITION DOES NOT APPLY TO ANY MARINE MAMMAL TAKEN PRIOR TO THAT DATE OR TO ANY PRODUCT CONSISTING OF, IN WHOLE OR IN PART OF, ANY MARINE MAMMAL TAKEN BEFORE SUCH DATE. OTHER EXEMPTIONS ARE ALSO PROVIDED FOR SCIENTIFIC RESEARCH AND PUBLIC DISPLAY. IN ADDITION, THE PROHIBITION DOES NOT APPLY TO ACTIVITIES OR PRODUCTS WHICH ARE "EXPRESSLY PROVIDED FOR BY AN INTERNATIONAL TREATY, CONVENTION, OR AGREEMENT TO WHICH THE UNITED STATES IS A PARTY..." SUCH AN AGREEMENT IS UNCLASSIFIED

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THE INTERIM CONVENTION FOR NORTH PACIFIC FUR SEALS. UNDER THE TERMS OF THIS CONVENTION AND THE FUR SEAL ACT OF 1966, WHICH IMPLEMENTED THE CONVENTION AND THE FUR SEAL ACT OF 1966, WHICH IMPLEMENTED THE CONVENTION DOMESTICALLY, FUR SEAL SKINS (CALLORHINUS URSINUS) ARE TAKEN TO THE PRIBILOF ISLANDS, PROCESSED AND EXPORTED FROM THE UNITED STATES. FUR SEAL SKINS WHICH ARE TAKEN BY THE U.S.S.R. UNDER THE

TERMS OF THE CONVENTION ARE LEGALLY IMPORTED INTO THE UNITED STATES FOR PROCESSING AND REEXPORTED IN ACCORDANCE WITH THE EXCLUSION IN THE MMPA. FUR SEAL SKINS WHICH ARE EXEMPTED CONTINUE TO BE EXEMPT IF THEY ARE REIMPORTED INTO THE U.S. IN GARMENTS, ETC. FUR SEAL SKINS GIVEN TO JAPAN AND CANADA UNDER THE TERMS OF THE CONVENTION ARE SIMILARLY EXEMPT. FUR SEAL SKINS AND GARMENTS WHICH ARE PRE-ACT CONTINUE TO BE LEGALLY IMPORTED AND EXPORTED INTO AND OUT OF THE U.S., BASED ON PROOF OF THEIR PRE-ACT STATUS. EACH SKIN IMPORTED BY THE FOUKE COMPANY QUALIFIES FOR ONE OF THE ABOVE EXEMPTIONS.

2. MMPA ALSO PROVIDES THAT THE SECRETARY OF COMMERCE, IN CONSULTATION WITH THE MARINE MAMMAL COMMISSION, ON THE BASIS OF SCIENTIFIC EVIDENCE, MAY ALLOW THE IMPORTATION OR TAKING OF MARINE MAMMALS, IF SUCH ACTIVITIES ARE IN ACCORD WITH "SOUND PRINCIPLES OF RESOURCE PROTECTION AND CONSERVATION" AND "THE PURPOSES AND POLICIES OF THE ACT." U.S. LAW, THEREFORE, PROVIDES COMPLETE PROTECTION FOR MARINE MAMMALS BUT IT ALSO ALLOWS EXEMPTIONS IF THERE IS CONCLUSIVE SCIENTIFIC JUSTIFICATION.

3. EMBASSY MAY DRAW ON ABOVE INFORMATION AS NECESSARY, BUT DEPT WISHES TO MAKE NO REPEAT NO COMMENT ON THE ITALIAN LAW AT THIS TIME. IF GOI REQUESTS VIEWS OF USG, EMBASSY SHOULD POINT OUT EXCEPTIONS ALLOWED BY U.S. MMPA, BUT UNCLASSIFIED

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SHOULD ALSO STRESS THAT SUCH EXEMPTIONS ARE GRANTED ONLY AFTER RIGOROUS PROOF THAT IMPACT ON MARINE MAMMAL STOCKS IS ACCEPTABLE.

4. COPY OF MMPA POUCHED.

5. WOULD APPRECIATE EMBASSY POUCHING COPY OF ITALIAN LAW AND TRANSLATION IF AVAILABLE TO: R. ARNAUDO, OES/OFA/FA. VANCE

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